

A CERTIFIED TRUE COPY

DEC 21 2006

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONFILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

DEC - 5 2006

2006 DEC 22 PM 1:40

LORETTA G. WHYTE
CLERKFILED
CLERK'S OFFICE**DOCKET NO. 1657****THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS
LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-77)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 5,274 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is
pending at this time, the
stay is lifted.

DEC 21 2006

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONCLERK'S OFFICE
A TRUE COPYJudy N. Lüthi
Clerk of the Panel

Fee

Process

X Dktd

CtRmDep

Doc. No.

Deputy Clerk, U.S. District Court
Eastern District of Louisiana
New Orleans, LADOLC
9592

PAGE 1 OF 3

SCHEDULE CTO-77 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>SECT. L MAG. 3</u>	Case Number EDLA
CALIFORNIA EASTERN			
CAE 2 06-2512	Alma Roque v. Merck & Co., Inc., et al.		06-11277
CAE 2 06-2516	Crystal K. Smith, et al. v. Merck & Co., Inc., et al.		06-11278
CAE 2 06-2518	Barbara Souza v. Merck & Co., Inc., et al.		06-11279
CAE 2 06-2520	Regina Soria, et al. v. Merck & Co., Inc., et al.		06-11280
CALIFORNIA NORTHERN			
CAN 3 06-6989	Jack F. Kenny, et al. v. Merck & Co., Inc., et al.		06-11281
CAN 3 06-6990	Helen A. Anderson v. Merck & Co., Inc., et al.		06-11282
CAN 3 06-6991	Kim L. Thompson, et al. v. Merck & Co., Inc., et al.		06-11283
CAN 3 06-6993	Anita Harris v. Merck & Co., Inc., et al.		06-11284
CAN 3 06-7005	Gail Grunert v. Merck & Co., Inc.		06-11285
CAN 4 06-6992	Dorothy M. White v. Merck & Co., Inc., et al.		06-11286
CAN 5 06-6988	Chung Camino v. Merck & Co., Inc.		06-11287
FLORIDA MIDDLE			
FLM 3 06-972	Willow P. DeWitt v. Merck & Co., Inc.		06-11288
IDAHO			
ID 2 06-454	Patricia Brittenham v. Merck & Co., Inc.		06-11289
ILLINOIS CENTRAL			
ILC 1 06-1281	Cathy Jensen v. Wendy Gosnell, M.D., et al.		06-11290
ILLINOIS NORTHERN			
ILN 1 06-6151	Marilyn S. Reimer v. Lee Lichtenberg, M.D., et al.		06-11291
ILN 3 06-50216	David Stuart v. David Bruah, M.D., et al.		06-11292
ILLINOIS SOUTHERN			
ILS 3 06-870	Sharon Calaway v. Merck & Co., Inc., et al.		OPPOSED 12/20/06
ILS 3 06-871	Wilma Hancock v. Merck & Co., Inc., et al.		OPPOSED 12/20/06
ILS 3 06-876	Alma York v. Merck & Co., Inc.		06-11293
ILS 3 06-882	Joyce M. Smith v. Merck & Co., Inc., et al.		OPPOSED 12/20/06
ILS 3 06-883	Sandra Kay Lindsey v. Merck & Co., Inc., et al.		OPPOSED 12/20/06
ILS 3 06-889	Fred Davis v. Merck & Co., Inc.		06-11294
ILS 3 06-893	Frederick W. Shrader v. Merck & Co., Inc.		06-11295
ILS 3 06-894	Wallace Smith v. Merck & Co., Inc.		06-11296
ILS 3 06-896	Steven Strader v. Merck & Co., Inc., et al.		OPPOSED 12/20/06
ILS 3 06-899	James Leroy Kohler v. Merck & Co., Inc.		06-11297
ILS 3 06-900	Robert G. Wolfe v. Merck & Co., Inc.		06-11298
ILS 3 06-910	Thomas S. Ferguson v. Merck & Co., Inc.		06-11299
ILS 3 06-916	Jesse Lerma v. Merck & Co., Inc.		06-11300
ILS 3 06-917	Edna P. King, et al. v. Merck & Co., Inc.		06-11301
ILS 3 06-920	Diane Durbin v. Merck & Co., Inc.		06-11302
ILS 3 06-921	Stephen Dusky v. Merck & Co., Inc.		06-11303
ILS 3 06-922	Delores M. Scaturro v. Merck & Co., Inc.		06-11304
ILS 3 06-923	Lawrence Paul Anderson v. Merck & Co., Inc.		06-11305

SCHEDULE CTO-77 - TAG-ALONG ACTIONS (MDL-1657)

Page 2 of 3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>SECT. L MAG. 3</u>	Case Number EDLA
INDIANA NORTHERN INN 2 06-372	Curtis W. Jones v. Merck & Co., Inc.		06-11306
MINNESOTA MN 0 06-4432	John Franasiak, et al. v. Merck & Co., Inc., et al.		06-11307
MN 0 06-4465	Gerald Lau, et al. v. Merck & Co., Inc.		06-11308
MN 0 06-4487	Emily E. Barnes, et al. v. Merck & Co., Inc., et al.		06-11309
MISSOURI WESTERN MOW 4 06-934	Sammi Kimerer, et al. v. Merck & Co., Inc., et al.	OPPOSED 12/21/06	
MISSISSIPPI SOUTHERN MSS 5 06-149	Rosie Joan Trahan, et al. v. Merck & Co., Inc., et al.		06-11310
OHIO NORTHERN OHN 1 06-2586	Ray Williams v. Merck & Co., Inc.		06-11311
OHN 1 06-2671	Mary C. Barrett, etc. v. Merck & Co., Inc.		06-11312
OHN 1 06-2672	Richard Mesrobian v. Merck & Co., Inc.		06-11313
OKLAHOMA EASTERN OKE 6 06-485	John Faulkenberry, et al. v. Merck & Co., Inc.		06-11314
OKLAHOMA WESTERN OKW 5 06-1227	Donald White, et al. v. Merck & Co., Inc.		06-11315
OKW 5 06-1234	Carolyn Thomas v. Merck & Co., Inc.		06-11316
OKW 5 06-1235	George Backstrom v. Merck & Co., Inc.		06-11317
OKW 5 06-1236	Gary Dickinson v. Merck & Co., Inc.		06-11318
OKW 5 06-1237	Ronald Hare v. Merck & Co., Inc.		06-11319
PENNSYLVANIA EASTERN PAE 2 06-4901	Arnold Frumin, et al. v. Merck & Co., Inc., et al.		06-11320
PAE 2 06-4936	Regina Hamilton v. Merck & Co., Inc.		06-11321
PAE 2 06-4937	David A. Jones, et al. v. Merck & Co., Inc.		06-11322
PAE 2 06-4938	Charles Laurino, et al. v. Merck & Co., Inc.		06-11323
PAE 2 06-4939	Ollie Saunders v. Merck & Co., Inc.		06-11324
PAE 2 06-4940	Gerald Turner, et al. v. Merck & Co., Inc.		06-11325
PAE 2 06-4941	Rose Marie Burns, et al. v. Merck & Co., Inc.		06-11326
PAE 2 06-4942	Willie Gilmore, et al. v. Merck & Co., Inc.		06-11327
PAE 2 06-4943	Francine McBurney, et al. v. Merck & Co., Inc.		06-11328
PAE 2 06-4944	Thomas Loveland, et al. v. Merck & Co., Inc.		06-11329
PAE 2 06-4945	Roseanne Rockwell, et al. v. Merck & Co., Inc.		06-11330
SOUTH CAROLINA SC 2 06-3127	Lawrence Aljets, et al. v. Merck & Co., Inc.		06-11331
SC 4 06-3174	Edna Deas v. Merck & Co., Inc.		06-11332
TEXAS EASTERN TXE 5 06-260	Lillian J. Adams, et al. v. Merck & Co., Inc., et al.		06-11333

SCHEDULE CTO-77 - TAG-ALONG ACTIONS (MDL-1657)

Page 3 of 3

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	SECT. L MAG. 3	Case Number EDLA
TEXAS SOUTHERN			
TXS 1 06-184	San Juanita Mares Leija, et al. v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 2 06-491	Rosalinda Trevino v. Merck & Co., Inc., et al.	06-11334	
TXS 2 06-494	Hortencia Garza, et al. v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 2 06-499	Pedro Hernandez v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 2 06-500	Aladin H. Vela v. Merck & Co., Inc., et al.	06-11335	
TXS 2 06-501	David Vargas v. Merck & Co., Inc., et al.	VACATED 12/19/06	
TXS 2 06-504	Thomas Alviar v. Merck & Co., Inc., et al.	06-11336	
TXS 2 06-505	Jose Ortiz v. Merck & Co., Inc., et al.	06-11337	
TXS 2 06-507	Jesusa S. Martinez v. Merck & Co., Inc., et al.	06-11338	
TXS 2 06-510	Elda Del Bosque v. Merck & Co., Inc., et al.	VACATED 12/19/06	
TXS 6 06-114	Lynna J. Anderson, et al. v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 7 06-322	Francisca Villarreal, et al. v. Merck & Co., Inc.	OPPOSED 12/20/06	
TXS 7 06-336	Alonzo Rivas v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 7 06-337	Dora Hernandez v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 7 06-338	Julio Sierra v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 7 06-340	Javier Trevino v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 7 06-341	Marcelina Tijerina v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXS 7 06-344	Maria De Leon v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TEXAS WESTERN			
TXW 1 06-865	Shirley Ison, et al. v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXW 1 06-901	Nathaniel Knight v. Merck & Co., Inc., et al.	OPPOSED 12/20/06	
TXW 2 06-89	Frank Schmerber, et al. v. Merck & Co., Inc., et al.	06-11339	
TXW 5 06-969	Wilma L. Toney, etc. v. Merck & Co., Inc.	06-11340	